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AMERICAN CITIZEN, VAS DETAINED BY CHINESE AUTHORITIES WHEN
CROSSING THE BORDER FROM KAZAKHSTAN INTO CHINA ON JUNE 12

1995. MR. YU AND ANOTHER AMERICAN TRAVELLING COMPANION VERE DETAINED AT HORGAS IN XINJIANG PROVINCE FROM JUNE 19 UNTIL THE MORNING OF JUNE 23, WHEN MR. WU'S COMPANION WAS EXPELLED FROM CHINA. MR. WU HAS NOT BEEN HEARD FROM SINCE. THE CHINESE GOVERNMENT PROVIDED THE REQUISITE CONSULAR MOTIFICATION OF DETENTION ON JUNE 23, BUT HAVE

SINCE REFUSED TO CRANT CONSULAR ACCESS UNDER OUR BILATERAL CONSULAR AGREEMENT. TO MANY DEMARCHES IN BOTH BELLING AND WASHINGTON, CHINE.E OFFICIALS HAVE REPLIED ONLY THAT WE IS TUNDER INVESTIGATION - FOR VIOLATIONS OF CHINESE LAW DURING PREVIOUS VISITS TO CHINA. CHINESE REFUSAL TO GRANT CONSULAR ACCESS TO A CLEAR VIOLATION OF THE BILATERAL CONSULAR AGREEMENT, WHICH PROVIDES FOR ACCESS TO DETAINED CHITTENS WITHIN 48 HOURS OF A REQUEST. CONGRESSIONAL PRESSIONAL PRESSION AND POPULAR INTEREST IN MR. MU'S CASE HAS BEEN SUBSTANTIAL.

4. THE DEPARTMENT PROPOSES TO AUGMENT ITS BILATERAL EXPRESSIONS OF GRAVE CONCERN TO THE CHINESE OVER THEIR HANDLING OF THE WU CASE WITH APPROACHES BY OTHER CONCERNED COUNTRIES ON THE SPECIFIC QUESTION OF CONSULAR ACCESS TO MATIONALS. THE UNITED STATES BELIEVES THAT ALL COUNTRIES HAVE AN INTEREST IN CHINESE COMPLIANCE WITH BOTH INJERNATIONAL CONVENTIONS SUCH AS THE VIENNA CONVENTION ON CONSULAR RELATIONS AND BILATERAL CONSULAR CONVENTIONS. WHERE THEY EXIST. THUS, THE UNITED STATES HOPES THAT HOST COUNTRIES WILL INSTRUCT THEIR AMBASSADORS IN BEIJING TO RAISE WITH CHINESE INTERLOCUTORS AT AN APPROPRIATE LEVEL THE IMPORTANCE OF PROMPT CONSULAR ACCESS, AS WELL AS THE DESIRABILITY OF STRICT ADHERENCE TO THE PROVISIONS OF CONSULAR CONVENTIONS AND AGREEMENTS. IF POSSIBLE. THE DEPARTMENT YOULD VELCOME HOST GOVERNMENTS CONVEYING A MORE SPECIFIC MESSAGE ABOUT THE UNACCEPTABILITY OF DELAYING CONSULAR ACCESS IN THE CASE OF HARRY WU. ADDRESSEES MAY DRAW ON THE TALKING POINTS IN PARAGRAPH FIVE BELOW IN DEMARCHING HOST GOVERNMENTS.

IN ADDITION. DEPARTMENT WOULD WELCOME KNOWING HOST COMERNMENTS. EXPERIENCE WITH THE PRO WITH RESPECT TO SECOND AR OBLIGATIONS, WHETHER UNDER INTERNATIONAL CONVENTIONS OF THE POSTS MAY MOTE THAT, IN SEEKING TO ELICIT THIS INFORMATION, POSTS MAY MOTE THAT, IN GENERAL THE PROHESTORMENT HAS BEEN REASONABLY GOOD ABOUT HONORING ITS CONSULAR OBLIGATIONS TO THE UNITED STATES.

- 6. BEGIN TALKING POINTS
- -- AMERICAN CITIZEN HARRY WU KALSO KHOWN AS PETER H. WUI

HAS BEEN DETAINED IN CHINA SINCE JUNE 19 EVIDENTLY IN THE BORDER TOWN OF HORGAS IN XINJIANG PROVINCE.

- -- THE CHINESE HOTIFIED OUR EMBASSY IN BEIJING OF THE DETENTION ON JUNE 23, WITHIN THE 4-DAY LIMIT STIPULATED IT THE U.S.-CHINA BILATERAL CONSULAR CONVENTION OF 1950
- -- OUR CONSUL GENERAL IN BEIJING REQUESTED A STATUS
  REPORT, ENUMERATION OF ANY CHARGES LODGED AGAINST WIL AND
  AGREEMENT FOR A CONSULAR VISIT FROM THE CHINESE FOREIGN
  MINISTRY ON MONDAY, JUNE 26.
- -- WE HAVE HAD SUBSEQUENT HEETINGS WITH THE FOREIGH MINISTRY CONSULAR AFFAIRS BUREAU. THE RESULTS OF THESE MEETINGS HAVE BEEN INCONCLUSIVE AND UNSATISFACTORY

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CONSUL & MATTERS GENERALLY, AND ON CONSULAR ACCESS TO DETAIL OF CITIZENS IN PARTICULAR. PLEASE REPORT REACTTO TO THE AND INQUIRY ON CONSULAR EXPERIENCE ASAP SLUCKING REPLIES FOR EAP/CH, L/EAP AND CA/OCS.

CONTA 1 101 GOVERNMENTS AT THE HIGHEST APPROPRIATE LEVEL

INTE: HIORS AS A HON-PAPER. ADDRESSEES SHOULD ALSO SEEK

TO DEL ME THE DEMARCHE OUTLINED IN PARAGRAPH S BELOW.

TO E ::: : HOST GOVERNMENTS. EXPERIENCE WITH THE PRC ON

POST MAY WISH TO LEAVE THE TALKING POINTS WITH

JENTIAL -- ENTIRE TEXT. THIS IS AN ACTION

'N PEQUESTED: DEPARTMENT REQUESTS THAT ADDRESSEES

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3 BACKGROUND: HARRY VU, AKA PETER H. WU A WELL-PHOWN INFITE OF CHIN S PRISON SYSTEM FOR MANY YEARS AND NOW AN

CONFIDENTICLASSIFIFD

## EAP/L CARDS CENTER

PAGE 87 OF 82 STATE 162763 8585722 847788 -- THE CHINESE SIDE HAS INFORMED US THAT THE PEQUEST FOR CONSULAR VISIT TO MR. WI IS STILL UNDER CONSIDERATION BUT HAS NOT BEEN APPROVED. MR. WI'S FRECISE LOCATION AND

CONDITION HAVE NOT BEEN DISCLOSED. WE MAKE NOT EEEN INFORMED OF ANY FORMAL CHARGES OR OF MP. WIS IMMINENT RELEASE OR DEPORTATION. GIVEN THE TIME FHAT HAS ELAPSED THESE RESPONSES ARE UNACCEPTABLE

-- ACCORDING TO ARTICLE 35 OF THE 2 S. CHINA - EXCREPACE CONSULAR CONVENTION, A CONSULAR VISIT SHALL TAKE PLACE -AS SOON AS POSSIBLE, BUT, AT THE LATEST, SHALL NOT BE REFUSED AFTER 2 DAYS FROM THE DATE ON VALCAL EXTHER COVERNMENT NOTIFIES THE OTHER OF A DETERMICN

-- WE BELIEVE ALL COUNTRIES HAVE ON INTERECT IN FROMFI CONSULAR ACCESS TO NATIONALS DETAINED IN CITES COLMETES AS CONTEMPLATED BY SUCH INTERNATIONAL CONJENTIONS AS THE JIENNA CONVENTION ON CONSULAR FELSIONS ETLATED CONSULAR AGREEMENTS, OR CUSTOMER INTERNATIONAL CONSULAR AGREEMENTS, OR CUSTOMER INTERNATIONAL CONSULAR AGREEMENTS.

-- OUR SPECIFIC CONCERN FOR MF WO IS OFFER BUT HE CASE
ALSO GRAVELY CONCERNED ABOUT THE IMPLICATIONS OF CHARLE
VIOLATION OF OUR BILATERAL CONSULAR CONJUNCTION IMPL
UNITED STATES AND CHINA ARE ALSO FARTHES TO IMPL
MULTILATERAL VIENNA CONVENTION ON CONSULAR ACCESS
APPLICE 36 OF WHICH PROVIDES FOR CONSULAR ACCESS TO
DETAINED OR ARRESTED NATIONALS

-- THE UNITED STATES WOULD WELCOTE FOLE TOLERNERS' INSTRUCTING YOUR ANDASSADOR TO BETTING TO DEPART FOLE THE CHINESE GOVERNMENT EXPRESSING STRILLER CONCERNS FEELS THE

SPECIFIC ISSUE OF CONSULAR ACCESS.

-- THE UNITED STATES WOULD ALSO WELCOME FOR COLFAMINES SHAISING THE CASE OF HARRY WILLING OF THE CASE OF HARRY WILLING OF THE CASE FALLES SUGGESTING THAT CHINA'S HANGLING OF THE CASE FALLES QUESTIONS ABOUT CHINESE COMMITTEN TO HONG NO. THE CASE OF THE CASE O

-- THE UNITED STATES APPRECIATES ANY HELF NOT CAN OFFER UNDERSCORING WITH THE CHINESE THE WITH, IMPERIANCE OF MONORING INTERNATIONAL OBLIGATIONS ON CONCLURE MATTERS

ENG TALKING POINTS.

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